

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: N/A  
Filing Date: N/A  
Applicant: Watson et al.  
Group Art Unit: N/A  
Examiner: N/A  
Title: CORDLESS POWER TOOL SYSTEM  
Attorney Docket: 0275A-000360/COD

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. **LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION**

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. **COPIES**

A. \_\_\_ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. X Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number  
10/309,840  
09/579,940  
09/963,809  
09/133,923

U.S. Filing Date  
December 4, 2002  
May 26, 2000  
September 26, 2001  
August 13, 1998

C. \_\_\_ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. \_\_\_ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. \_\_\_ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. \_\_\_ See the attached foreign patent office communication from a counterpart foreign application:
2. \_\_\_ English translations are provided for:
3. \_\_\_ Other:

C. \_\_\_ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. \_\_\_ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

A. X 37 C.F.R. § 1.97(b): (check only one box)

1. X within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. \_\_\_\_ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. \_\_\_\_ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. \_\_\_\_ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. \_\_\_\_ 37 C.F.R. § 1.97(c): (check only one box)

- before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. \_\_\_\_ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. \_\_\_\_ See the certification below. No fee is required.

C. \_\_\_\_ 37 C.F.R. § 1.97(d):

- after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. \_\_\_\_ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. \_\_\_\_ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F. R. 1.704(d) below in section VII, if applicable; or

- B. ☐ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).
- C. ☐ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 CFR 1.704(d)

The undersigned hereby states that:

☐ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

- A. ☒ No fee presently due.
- B. ☐ A check in the amount of \$180.00 is enclosed for the above-identified fee.
- C. ☐ Please charge Deposit Account No. 02-2548 in the amount of \$180.00 for the above-indicated fee.


The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 02-2548.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2548.

Respectfully submitted,

Dated: 22-July-2003

By:   
\_\_\_\_\_  
Michael D. Zalobsky  
Reg. No. 45,512

HARNESS, DICKEY & PIERCE, P.L.C.  
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(248) 641-1600

<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 1 of 4	ATTORNEY DOCKET No.	SERIAL No.
	0275A-000360/COD	N/A
	APPLICANT	
	Watson et al.	
	FILING DATE	GROUP
	N/A	N/A

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		2,962,062	11/1960	Winkler et al.	143/43	
2.		3,262,472	7/1966	McCarty et al.	143/43	
3.		3,292,673	12/1966	Gregory	143/43	
4.		3,447,577	6/1969	Burrows et al.	143/43	
5.		3,706,332	12/1972	George	143/159	
6.		3,730,239	5/1973	Kaman et al.	143/159	
7.		3,757,194	9/1973	Weber et al.	320/2	
8.		3,883,789	5/1975	Achenbach et al.	320/2	
9.		3,952,239	4/1976	Owings et al.	320/2	
10.		3,973,179	8/1976	Weber et al.	320/2	
11.		4,221,051	9/1980	Glass	30/377	
12.		4,321,523	03/1982	Hammel		
13.		4,353,165	10/1982	Albery	30/376	
14.		4,516,324	5/1985	Heininger, Jr. et al.	30/377	
15.		4,555,849	12/1985	Ando et al.	30/388	
16.		4,616,169	10/1986	Proffitt	320/2	
17.		4,847,513	7/1989	Katz et al.	307/149	
18.		4,856,394	8/1989	Clowers	83/56	
19.		4,982,501	1/1991	Sauerwein et al.	30/376	
20.		5,010,651	4/1991	Techter et al.	30/376	
21.		5,140,249	8/1992	Linder et al.	320/2	

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 2 of 4	ATTORNEY DOCKET NO.	SERIAL No.
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U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		5,280,525	5/1993	Lopic et al.	320/2	
23.		5,381,602	1/1995	Matzo et al.	30/377	
24.		5,454,167	10/1995	Albery	30/377	
25.		5,504,412	4/1996	Chan et al.	320/2	
26.		5,508,123	4/1996	Fan	429/96	
27.		5,517,763	5/1996	Schilling et al.	30/376	
28.		5,553,675	9/1996	Pitzen et al.	173/217	
29.		5,589,288	12/1996	Coulson et al.	429/96	
30.		5,671,815	9/1997	Kabatnik et al.	173/217	
31.		5,792,573	8/1998	Pitzen et al.	429/97	
32.		6,075,341	6/2000	White et al.		
33.		5,792,573	8/1998	Pitzen et al.		
34.		5,508,123	4/1996	Fan		
35.		5,391,972	2/1995	Gardner et al.		
36.		3,952,239	4/1976	Owings et al.		
37.		3,338,394	06/1975	Kaye		
38.		D363,656	04/1994	Gierke		
39.		5,881,823	4/1996	Kabatnik et al.		

Examiner:	Date Considered:
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Sheet 2 of 4

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**FOREIGN PATENT DOCUMENTS**

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation	
						Yes	No
1.		DE 34 29 095	1/1997	Germany			
2.		DE 44 03 189	11/1991	Germany			
3.		GB 2 302 051	1/1997	Great Britain			
4.		DE 93 19 361.0		Germany			
5.		DE 196 04 346 A1	8/1996	German			
6.		G 91 15 492. 8	4/1992	Germany			
7.		DE 295 13 330	2/1997	Germany			
8.		DE 39 19 702	11/1991	Germany			
9.		EPO 0 238 718		EPO			
10.		EP 0 374 600 B1	8/1995	European			
11.		DE 93 11 901.1		Germany			
12.		JP 0281880		Japan			
13.		EP 1 025 961 A1	8/2000	EPO			
14.		EP 1 017 149 A2	7/2000	EPO			
15.		EP 1 017 149 A3	4/2001				

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)**

Ref. Desig.	Examiner's Initials	
1.		1997 DeWalt Catalog, p. 18
2.		Makita 1997 Pocket Catalog, pgs. 11, 16

Examiner:

Date Considered:

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Sheet 2 of 4

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**OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)**

Ref. Desig.	Examiner's Initials	
3.		Milwaukee Heavy Duty Electric Tools For Contractors and Industry, 1997 Catalog, p. 24
4.		Makita 1993 Catalog, four pages including cover page, pages 17 and 19, and back page (dated 1993)

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.